

SENATE BILL 1800  
By Burchett

AN ACT to amend Tennessee Code Annotated, Title 44 and Title 70, Chapter 4, Part 4, relative to exotic animals.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 70, Chapter 4, Part 4, is amended by deleting the part in its entirety.

SECTION 2. Tennessee Code Annotated, Title 44, is amended by adding the following as a new chapter 21:

**Section 44-21-101.** Prohibited acts.

(a) It is unlawful for any person to possess, transport, import, export, buy, sell, barter, propagate or transfer any wildlife, whether indigenous to this state or not, except as provided by this part and rules and regulations promulgated by the Tennessee department of agriculture pursuant to this part.

(b) No person shall possess Class I or Class II wildlife without having documentary evidence showing the name and address of the supplier of such wildlife and date of acquisition.

**Section 44-21-102.** Definitions.

As used in this part, unless the context otherwise requires:

(1) "Cage" means the primary enclosure in which an animal is held;

(2) "Circus" means a public entertainment consisting typically of a variety of performances by acrobats, clowns, and trained animals, but does not include wrestling bears or any type of show in which there is direct contact between the public and a Class I animal, except as otherwise provided for in this part;

(3) "Commercial propagator" means any person or entity which may sell, barter, trade, propagate or transfer Class I wildlife (excluding transfers to other commercial propagators located within the boundaries of Tennessee), and which meets all other applicable license, permit, zoning and other requirements necessary to conduct business in the city, county and state where located;

(4) "Department" means the Tennessee department of agriculture;

(5) "Mobile facility" means a facility designed for the transporting of animals or for the holding of animals on a temporary basis;

(6) "Native wildlife" means those species presently occurring in the wild in Tennessee and those extirpated species that could reasonably be expected to survive in the wild if reintroduced;

(7) "Perimeter fence" means a secondary fence that prevents the public from touching the cage in which the animal is held;

(8) "Permanent exhibitors" means those exhibits that are housed the entire year in facilities located within the state of Tennessee;

(9) "Personal possession permit" means a noncommercial type permit issued to private citizens for ownership or possession of nonbreeding animals in small numbers;

(10) "Stationary facility" means the primary holding facility, including cage and barriers that remain in a fixed location; and

(11) "Temporary exhibitors" means those transient animal acts not permanently located within the boundaries of the state of Tennessee.

**Section 44-21-103.** Classifications of wildlife.

Live wildlife, kept and maintained for any purpose, shall be classified in the following five (5) classes:

(1) Class I - This class includes all species inherently dangerous to humans. These species may only be possessed by zoos, circuses and commercial propagators, except as otherwise provided in this part. The commission, in conjunction with the commissioner of agriculture, may add or delete species from the list of Class I wildlife by promulgating rules and regulations. The following is a listing of animals considered inherently dangerous:

(A) Mammals:

(i) Primates - Gorillas, orangutans, chimpanzees, gibbons, siamangs, mandrills, drills, baboons, Gelada baboons;

(ii) Carnivores:

(a) Wolves - All species;

(b) Bears - All species; and

(c) Lions, tigers, leopards, jaguars, cheetahs, cougars - All species;

(iii) Order Proboscidea: Elephants - All species;

(iv) Order Perissodactyla: Rhinoceroses - All species; and

(v) Order Artiodactyla: Hippopotamus, African buffalo;

(B) Reptiles:

(i) Order Crocodylia: Crocodiles and alligators - All species; and

(ii) Order Serpentes: Snakes - All poisonous species; and

(C) Amphibians: All poisonous species;

(2) Class II - This class includes native species, except those listed in other classes;

(3) Class III - This class requires no permits except those required by the department of agriculture, and includes all species not listed in other classes and includes, but is not limited to, those listed in subdivisions (3)(A)-(Q). The commissioner of agriculture may add or delete species from the list of Class III wildlife by promulgating rules and regulations:

(A) Nonpoisonous reptiles and amphibians except caimans and gavials;

(B) Rodents - Gerbils, hamsters, guinea pigs, rats, mice, squirrels and chipmunks;

(C) Rabbits, hares, moles and shrews;

(D) Ferrets and chinchillas;

(E) Llamas, alpacas, guanacos, vicunas, camels, giraffes and bison;

(F) Avian species not otherwise listed, excluding North American game birds, ostriches and cassowary;

(G) Semi-domestic hogs, sheep and goats;

(H) All fish held in aquaria;

(I) Bovidae not otherwise listed;

(J) Marsupials;

(K) Common domestic farm animals;

(L) Equidae;

(M) Primates not otherwise listed;

(N) Bobcat/domestic cat hybrids;

(O) Hybrids resulting from a cross between a Class II species and a domestic animal or Class III species;

(P) Cervidae except white-tailed deer and except wild elk. Elk originating from a legal source while held in captivity for the purpose of farming shall be regarded as Class III wildlife. All other elk shall be wild elk and shall be regarded as Class II wildlife. No person shall possess elk in captivity within the eastern grand division of the state as defined in § 4-1-202 without having documentary evidence indicating the origin of the elk being held. This documentary evidence will be presented to the agents of the department of agriculture upon request. Sale documentation of offspring of purchased elk is not required; and

(Q) Furbearing mammals, including those native to Tennessee, raised solely for the sale of fur;

(4) Class IV - This class includes those native species that may be possessed only by zoos and temporary exhibitors; provided, that rehabilitation facilities may possess Class IV wildlife as provided by rules established by the department if authorized by a letter from the commissioner:

(A) Black bear (*Ursus americanus*);

(B) White-tailed deer (*Odocoileus virginianus*);

(C) Wild turkey (*Meleagris gallapavo*) (including the eggs thereof);

(D) [Deleted by 1996 amendment.]

(E) Hybrids of a Class IV species other than bobcat shall be Class IV; and

(F) Animals that are morphologically indistinguishable from native Class IV wildlife shall be Class IV; and

(5) Class V - This class includes such species that the commissioner of agriculture may designate by rules and regulations as injurious to the environment. Species so designated may only be held in zoos under such conditions as to prevent the release or escape of such wildlife into the environment.

**Section 44-21-104. Permits - Fees.**

(a) The department shall issue permits for possessing live wildlife as defined in this part.

(b)

(1) The department shall adopt reasonable rules for issuing permits to possess live wildlife and establishing the conditions thereof. The conditions shall be directed toward assuring the health, welfare, and safety of animals, the public and, where necessary, the security of facilities in which the animals are kept.

(2) The commissioner may authorize by letter permission to possess any class of wildlife for approved research studies or for the temporary holding of animals in the interest of public safety. The commissioner may exempt specific events from the caging and handling requirements established for Class I wildlife. Approval of an exemption will be based on a written request that outlines safety precautions that must be implemented during the specified activity.

(c) Class I wildlife.

(1) Persons legally possessing Class I wildlife prior to June 25, 1991, shall obtain annually a personal possession permit to keep such Class I wildlife. To obtain a personal possession permit, such persons shall comply with all of the provisions of this part. After June 25, 1991, no

new animals shall be brought into possession under authority of a personal possession permit. Persons in legal possession of one (1) or more species of Class I wildlife as of June 25, 1991, may maintain the lineage of such species up to a maximum of three (3) animals per species. Persons in legal possession of the offspring of such Class I wildlife shall have a maximum of twelve (12) months from the date of birth of such offspring to obtain appropriate permits for such offspring, or to dispose of such offspring through an appropriate commercial propagator, or by any other manner permitted by law within the state. The provisions of this section apply solely to persons in legal possession of Class I wildlife as of June 25, 1991, and shall not be construed to authorize new personal possession of Class I wildlife.

(2) The commissioner shall issue a permit upon a satisfactory showing of qualifications to possess live wildlife under the following conditions:

(A) The applicant must be at least twenty-one (21) years of age;

(B) The applicant must have at least two (2) years of experience in the handling or care of the Class I species for which the applicant is applying, or, in the alternative, must take a written examination, developed and administered by the department, evidencing basic knowledge of the habits and requirements, in regard to proper diet, health care, exercise needs and housing of the species to be covered by the permit. Experience gained while in violation of this part shall not be considered qualifying experience;

(C) The facilities for holding Class I wildlife must be located on the premises on which the permit holder resides or shall have a full-time resident caretaker to supervise the care and security of the facilities. Facilities for Class I animals may not be on premises of less than one (1) acre for a personal possession permit and three (3) acres for a commercial propagator facility permit, and may not be located in a multi-unit dwelling or trailer park; and

(D) The applicant must have a plan for the quick and safe recapture of the wildlife, or if recapture is impossible, for the destruction of any animal held under the permit. The applicant must have the legal authority to possess weapons or other equipment necessary to carry out the plan and, in fact, possess such weapons or other equipment.

(3) The permit holder shall control and maintain Class I wildlife at all times in such a manner as to prevent direct exposure or contact between the animal(s) and the public; provided, that a trained elephant may be brought into contact with the public under the close supervision of a qualified trainer or handler.

(d) No person shall hold live wildlife in captivity without first obtaining the appropriate permit as provided in this part. The annual permits and fees for holding live wildlife are as follows:

(1)

(A) Personal Possession. Class I: \$150/animal or \$1,000/facility; and

(B) Class II: \$10.00/animal or \$100/facility;



(2) Transfer of Ownership. A permit for transferring any Class I or II animal held under a personal possession permit. If the transfer of the animal is ordered by the department, no transfer permit is required;

(3) Commercial Propagator. \$1,000/facility for Class I wildlife;

(4) Propagator. \$25.00/facility for small game birds and waterfowl; and \$100/facility for all Class II wildlife except small game birds and waterfowl;

(5) Importation. \$10.00/shipment or \$100 per year;

(6) Temporary Exhibitor. \$100/30 day period;

(7) Permanent Exhibitor. \$500/year/facility;

(8) Commercial Wildlife Preserve. \$150/year for big game; and \$75.00/year for small game;

(9) Falconry. \$40.00/year or other time period as might coincide with federal permit requirements;

(10) Qualification Examination. \$10.00/examination; and

(11) Zoos, Nature Centers, Rehabilitation Centers, and Educational Exhibits Certified As Nonprofit. No charge.

**Section 44-21-105.** Housing and transportation of wildlife - Requirements.

(a) Wildlife housed in dangerously unsafe conditions constituting a threat to human safety shall, at the direction of department personnel, be placed in department approved facilities at the owner's expense.

(b) Any condition which results in wildlife escaping from its enclosure, cage, leash or other constraint shall be considered maintaining wildlife in an unsafe manner and shall be a violation of this part.

(c) Cages shall be sufficiently strong to prevent escape and to protect the caged animal from injury.

(d) No person shall maintain any wildlife in captivity in any unsanitary or unsafe condition or in a manner which results in the maltreatment or neglect of such wildlife, nor shall any species of wildlife be confined in any cage or enclosure which does not meet the cage specifications.

(e) Enclosure in which wildlife is held in captivity shall be maintained as follows:

(1) Water. Drinking water shall be provided daily in clean containers. Swimming or wading pools shall be cleaned as needed to ensure good water quality. Enclosures shall provide adequate drainage of surface water;

(2) Food. Food provided shall be unspoiled and not contaminated; and

(3) Waste. Fecal and food waste shall be removed from cages daily and stored or disposed of in a manner which prevents noxious odors or insect pests. Hard floors shall be scrubbed and disinfected weekly. Large pens and paddocks with dirt floors shall be raked every three (3) days and the waste removed.

(f) The department may promulgate rules and regulations requiring specific cage requirements for any species of live wildlife.

(g) Stationary facilities - Class I wildlife.

(1) All stationary facilities must be surrounded by a perimeter fence (secondary barrier) of at least eight feet (8') in height and a minimum of four feet (4') from the cage holding the animal, or such other fencing, building or other protection of the enclosure where the animal is kept sufficient to prevent unauthorized public entry or direct physical contact between the animal and the public.

(2) All cages shall be well braced and securely fastened to the floor or in the ground and shall utilize metal clamps or braces of equivalent strength as that prescribed for cage construction.

(3) All cage entrances shall have double safety doors, one (1) of which only opens to the inside. These doors must remain locked at all times when unattended with chains and locks of sufficient strength to prevent the animal from breaking open the door if highly excited.

(4) All cages shall be constructed with a den, nest box or other connected housing unit that can be closed off and locked with the animal inside for the safe servicing and cleaning of the open area. In lieu of a nest box, a divided cage with a door between the two (2) compartments may be used.

(5) All outdoor cages shall provide adequate shelter from inclement weather conditions, shade from the sun and provide for the protection and health of the wildlife held.

(6) The mesh size or distance between bars shall be sufficiently small to prevent the escape of the animal being held.

(7) Restraint by tethering cannot be used as a means to hold an inherently dangerous animal in captivity, except for elephants within a perimeter fence or trained elephants under the immediate supervision of a qualified trainer or handler.

(8) All animals shall be kept in cages which meet the following minimum criteria, or shall be housed in buildings in which the strength of the walls, and the restraints affixed to all windows, doors and other means of entry or exit in effect meet such minimum criteria:

(A) Felidae and Ursidae.

(i) All cages shall be constructed of and covered at the top with nine (9) gauge steel chain link or equivalent, with tension bars and metal clamps to prevent the escape of the animal; provided, that animals, except tigers, leopards and jaguars, may be held in facilities without a top where the sides of the cages are a minimum of eleven feet (11') high with the top three feet (3') of fencing turned in at a forty-five degree (45°) angle. No structures which could provide potential escape routes may be present near the fence of an open top cage;

(ii) All cages for cougars and cheetahs shall be constructed as specified in subdivision (A)(i) except that minimum strength shall be of eleven and one half (11½) gauge steel chain link or equivalent;

(B) Canidae. All cages shall be constructed of and be covered at the top with eleven and one-half (11½) gauge steel chain link or equivalent, with tension bars and metal clamps to prevent the escape of the animal; provided, that animals may be held in facilities without a top where the sides of the cage are a minimum of nine feet (9') high with the top three feet (3') of fencing turned in at a forty-five degree (45°) angle;

(C) Elephants, rhinoceros, hippopotamus and African buffalo.

(i) Construction materials shall consist of steel bars, masonry block or equivalent. If masonry block

construction is used, the holes in the blocks must be filled with steel reinforced concrete to provide sufficient strength;

(ii) Restraints consisting of a barrier system of moats or other structures as are commonly accepted as suitable to restrain and contain these animals in paddocks or corrals may be used in lieu of a cage;

(D) Poisonous animals. Poisonous animals shall be kept in a cage or in a glass enclosure sufficiently strong, and, in the case of a cage, of small enough mesh to prevent the animals' escape. The cage or glass enclosure must be kept inside an outer cage, or glass enclosures must be kept locked at all times. No person except the permit holder or such person's authorized employee shall open any cage or other container which contains poisonous animals. Persons keeping poisonous animals shall have in their possession antivenin for each species possessed;

(E) Chimpanzees, gorillas, orangutans. Cage construction materials shall consist of steel bars, two inch (2") galvanized pipe, reinforced masonry block or their strength equivalent;

(F) Drills, mandrills, baboons, Gelada baboons, gibbons, siamangs. Cage construction materials shall consist of not less than nine (9) gauge steel chain link or equivalent; and

(G) Alligators and crocodiles. Cages shall consist of fencing at least five feet (5') in height of not less than eleven and one-half (11 1/2) gauge chain link or equivalent.

(10) A facility that meets the requirements to be a zoological institution may use methods approved by the

American Association of Zoological Parks and Aquariums for the purposes of restraint, containment and the prevention of escape and public contact for Class I animals, instead of the requirements listed in the preceding subdivisions.

(h) Mobile facilities. No mobile facility shall be used in transporting any wildlife except as follows:

(1) Facilities shall be equipped to provide fresh air without injurious drafts and adequate protection from the elements to all animals;

(2) The animal traveling area shall be free of engine exhaust fumes;

(3) Animal cages shall have openings for the emergency removal of wildlife;

(4) Cages shall be large enough to ensure that each specimen has sufficient room to stand erect and lie naturally;

(5) Wildlife transported in the same cage area shall be in compatible groups;

(6) Facilities used in transporting or temporarily exhibiting Class I wildlife shall be constructed of steel or case hardened aluminum of sufficient strength to prevent the escape of wildlife being transported. Such facilities shall be constructed in such a manner to prevent contact between the animal(s) and the general public. All doors shall be locked when the facility is in use;

(7) Poisonous reptiles shall only be transported in a strong, closely woven cloth sack, tied or otherwise secured. This

sack shall then be placed in a box. The box shall be of strong material in solid sheets, except for small air holes, which shall be screened. Boxes containing poisonous reptiles shall be locked and prominently labeled "Danger - Poisonous Snakes" or "Danger - Poisonous Reptiles," and shall include the owner's name, address, telephone number and list of number and species being transported;

(8) Temporary exhibits shall be housed in cages that meet the minimum cage specifications as provided in the section on stationary facilities when such wildlife is present in any geographical location for more than ten (10) days; and

(9) Prior to entering the state of Tennessee, temporary exhibitors shall submit a schedule that details the exact locations and dates of shows and places where such wildlife will be exhibited while in the state. Failure to provide such a schedule upon application for a permit shall be grounds to deny issuance of such

**Section 44-21-106.** Liability for escape - Limitation of state's liability.

(a) Any person who keeps Class I wildlife is liable for any costs incurred by any person, city, county or state agency or department resulting from the escape from captivity of the animal(s).

(b) Neither the state of Tennessee nor any agency, department, employee or agent thereof is liable for any animal that expires, or is injured or is destroyed. Neither the state of Tennessee nor any agency, employee or agent thereof is liable for any damage or injury caused by live wildlife under a permit issued pursuant to this part.

**Section 44-21-107.** Transfer of Class I wildlife - Notification.

(a) Prior to the transfer of any Class I wildlife to a new owner, the prospective owner must provide the seller with proper documentation of an approved holding facility for that species. Proper documentation consists of a copy of a current permit for that species or a letter from the Tennessee department of agriculture stating that the facilities have been inspected and are approved. Any transfer without approved holding facilities is a violation of this part by the seller, who shall provide housing for the animal at such seller's cost until the transferee can provide approved facilities or until final court actions are concluded. If the seller does not provide housing, such seller shall be liable for costs incurred by the department for providing such housing.

(b) Permit holders must notify the department of any transfer of Class I wildlife within five (5) days of the transfer on forms provided by the department.

**Section 44-21-108.** Owners of unpermitted wildlife - Disposition of such wildlife.

Owners of unpermitted wildlife who do not qualify for a permit to possess such wildlife shall dispose of such wildlife to an approved recipient within thirty (30) days of notification by the department. Each day of possession of unpermitted wildlife after such thirty- (30) day period constitutes a separate violation.

**Section 44-21-109.** Inspections.

Any person possessing live wildlife in Class I or Class II shall, during normal business hours and at all reasonable times, and without the necessity of a search warrant, allow the commissioner or any officer or employee of the department to inspect all animals, facilities and records relating to such animals for the purpose of ensuring compliance with the provisions of this part.

**Section 44-21-110.** Propagation of Class I or Class II wildlife - Permit.



(a) Before any person may engage in the business of propagating or otherwise obtaining Class I or Class II wildlife for sale, barter or trade, whether indigenous to this state or not, such person must obtain and possess a permit for each propagating location.

(b) Any nonresident who enters the state for the purpose of selling Class I or Class II wildlife species in this state shall also be required to purchase and possess a permit.

(c) All permits under this section shall comply with all provisions of the United States Code and the Code of Federal Regulations relating to exotic animals, their care, propagation, importation and sale.

(d) Artificially propagated wildlife may be propagated, sold, possessed, released or exported in accordance with the rules and regulations prescribed by the commission and, in the case of migratory birds, the regulations prescribed by the federal government.

(e) Only commercial propagators may qualify for a permit to propagate Class I wildlife and may transfer Class I wildlife only to persons or entities approved to possess Class I wildlife. First time commercial propagators shall have one (1) permit year to meet the criteria as defined by law. Renewal of a commercial propagator permit is conditional on the permit holder having met the definition of a "commercial propagator" during the prior permit year.

**Section 44-21-111.** Importation of wildlife - Permits - Papers.

(a) All persons wishing to possess Classes I and II live wildlife obtained outside the state of Tennessee shall have in their possession the importation permit required by this part. The permit and all bills of lading and shipping papers relating to any wildlife which such person may have in such person's possession shall be open and available for inspection at all reasonable times by

authorized department officers and employees for the purpose of ensuring compliance with the provisions of this part.

(b) Animals brought into this state under the authority of an annual importation permit must be reported to the department within five (5) days of the date of importation.

(c) An importation permit is required for all interstate movement of live wildlife except Class III, except no permit is required for zoos and temporary exhibitors.

**Section 44-21-112. Release of wildlife.**

It is unlawful to release any class of wildlife in Tennessee except in accordance with the rules and regulations promulgated by the commission.

**Section 44-21-113. Private wildlife preserves - Hunting.**

(a) It is unlawful for any person to operate a private wildlife preserve for the purpose of propagating and/or hunting any class of wildlife reared in captivity unless that person obtains the appropriate permit and operates such private wildlife preserve in accordance with the rules and regulations promulgated by the department.

(b) It is lawful to hunt approved species of pen-reared and farm-reared animals on such preserve.

(c) Persons hunting pen-reared animals on such preserve are not required to possess a hunting license.

**Section 44-21-114. Raptors - Falconry permit.**

(a) Before any person may take, transport or possess raptors for the purpose of falconry, such person shall first obtain a falconry permit in accordance with the rules and regulations promulgated by the department. This permit is supplemental to all other permits and licenses required for hunting as provided in

this title, except that a holder of a falconry license may import and possess raptors legally obtained without the necessity of an importation permit.

(b) Rules and regulations promulgated by the department shall govern the taking, importation, possession and use of raptors, and shall require applicants for such permit to satisfactorily pass a written examination attesting to their qualification to possess and use falcons. The rules and regulations may provide for a waiver of the examination if the applicant has satisfactorily passed an examination in any other state that the commission deems comparable to the Tennessee examination. The rules and regulations shall not be less restrictive than federal regulations governing taking, transporting, possessing and using raptors for the purpose of falconry.

**Section 44-21-115.** Authority of officers of department. - Violations - Penalties - Forfeitures.

(a) Any officer of the department, upon finding a violation of the provisions of this part, of the terms of the permit or rules and regulations promulgated pursuant to this part, may, as appropriate:

(1) Exercise such officer's arrest authority or, in lieu thereof, issue a finding of a violation, along with a warning to remedy the violation by a specified date. Each day's continuation after such date constitutes a separate violation;

(2) Give three (3) days' written notice of seizure to the alleged offender, and make application to a court of proper jurisdiction for an order to seize any items or wildlife held, used or transported in violation of the provisions of this part, the permit or rules or regulations promulgated pursuant to this part; provided, that if such officer determines that the public health, safety or welfare imperatively requires emergency action,

the notice requirement shall be suspended and such officer may make immediate application to the court for seizure; and provided further, that if the emergency is such that the wildlife presents a present or imminent life-threatening situation or is likely to do so under the circumstances, then such officer or any member of the department who may be present and assisting the officer may destroy such wildlife; and

(3) Take any other reasonable and appropriate actions otherwise provided by law.

(b) Any person violating any provision of this part, including a failure to remedy under subdivision (a)(1), or who violated the terms of any permit or rules and regulations promulgated pursuant to this part, commits a Class A misdemeanor; provided, that in the discretion of the court, and in lieu of or in addition to a fine or a jail sentence, or both, the person's permit may be revoked, and such person shall be precluded from applying for or obtaining a permit under this part for a period not to exceed three (3) years.

(c) In the event of revocation of a person's permit, the court shall determine whether or not the items seized pursuant to subdivision (a)(2) shall be ordered forfeited to the state.

(d) When any item or wildlife is forfeited, the court shall enter an order accordingly and the contraband property shall be sold at public sale by the commissioner of general services or as otherwise provided by rules and regulations, or donated to a worthy recipient. However, upon request of the department at the trial of the matter, the court, as a part of its order, may direct that specific items or wildlife, which the court has ordered forfeited, be awarded to the department for use as educational or training purposes.

(e) No item or wildlife seized by the department may be forfeited or disposed of in the discretion of the court, unless the offender has been convicted of the offense charged and all appeals from such conviction have been exhausted. An appeals bond shall be required to cover the cost of holding and maintaining such animals held, pending final disposition of the appeal.

**Section 44-21-116.** Notification of escape - Injuries.

Permit holders shall immediately notify the department or local law enforcement officials of any escape of Class I wildlife. Any personal injury inflicted by any species of captive wildlife requiring medical treatment shall be reported to the department within forty-eight (48) hours of the injury, and a complete report provided regarding the nature and circumstances of the injury.

**Section 44-21-117.** Cost of administration.

The cost of administration of this part as it relates to wildlife not indigenous to this state shall be borne by the general fund and revenues collected pursuant to this part.

SECTION 2. The commissioner is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 3. For the purpose of promulgating rules and regulations to effectuate the implementation of this act, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect on July 1, 2003, the public welfare requiring it.